

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DONALD C. JOHNSON,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

CASE NO. C09-5688RBL

ORDER

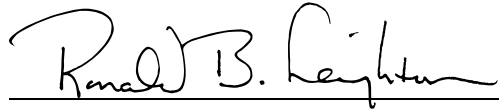
THIS MATTER comes on before the above-entitled court upon the Defendant's Motion to Alter or Amend pursuant to Fed. R. Civ. P. 59(e). [Dkt. #39]. Having considered the entirety of the records and file herein, the Court finds and rules as follows.

The defendant Commissioner requests this Court to "amend" its order awarding plaintiff attorney fees by entering a new order denying attorney fees to plaintiff. Defendant's motion is more properly considered as a motion for reconsideration. Under CR 7(h), Local Rules W.D. Wash., motions for reconsideration are "disfavored" and will be denied in the "absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to [the Court's] attention earlier with reasonable diligence."

1 That standard has not been met in this case. Defendant's motion [Dkt. #39] is **DENIED**.

2 **IT IS SO ORDERED.**

3 Dated this 28th day of February, 2011.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE
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